

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- X

The Authors Guild, Inc., Associational Plaintiff,	:
Betty Miles, Joseph Goulden, and Jim Bouton,	:
individually and on behalf of all others similarly	:
situated,	:
	:
Plaintiffs,	:
	:
v.	:
	:
Google Inc.,	:
	:
Defendant.	:
	:
	:

----- X

Case No. 05 CV 8136-DC

EXHIBIT

1

[PART 2 OF 3]

**TO THE DECLARATION OF MICHAEL J. BONI IN SUPPORT OF PLAINTIFFS'
OPPOSITION TO DEFENDANT GOOGLE'S MOTION FOR SUMMARY JUDGMENT**

From inside the book

25 pages matching **catcher** in this book

Page 87

RICH ROLINS has a good story he tells in the same vein. It goes back to when we were playing against each other in the Class-B Carolina League. Rich had hit two home runs in the first game of a doubleheader and the club had some deal that anybody who hit three home runs in one day would get \$300. So the other players on Rollins' team told him to go to our catcher, Norm Kampchor, and get him to tell

Page 126

giving a hot-foot to somebody else at the time and just as he started to turn around and grin at the havoc he had wrought, a look of horror crossed his face and he began to do an Indian dance. The hot-footer had been hot-footed (feeted?) himself. Joe Pepitone is a gas.

Page 197

away, it means she's not interested. If she smiles, something might come of it. It's called shooting stingers.

Roomie got shelled out of the game in four innings. The Orioles are so hot right now it could happen to anybody. But poor Gary took

From inside the book

6 pages matching **baseman** in this book

Page 282

Epstein on three pitches, all knuckleballs. I had Bernie Allen just about struck out, but he reached out and tapped one to the second baseman. Oh, Frank Howard got a single off me. He's liable to do that to anybody, isn't he?

I'm glad the knuckleball is in such happy shape. The Yankees arrive

Page 298

we may not be winning a lot of ballgames, but we've got a lot of spirit. In fact we might have the best "around the horn" in the league. You throw the ball around the horn—catcher to first baseman to shortstop to second baseman to third baseman—after an infield out, and you do it with a lot of élan. We get better at it all the time.

Page 354

Some of the guys were on Nate Colbert, the San Diego first baseman, formerly of the Astros. They kept yelling that he was ugly and calling him "Mullion" and other nice things. Blefary said to cut it out, that the last time they got on him Colbert hit a couple of home runs and beat us. Well, we jumped out to a 4-0 lead, but the first time

From inside the book

3 pages matching **shortstop** in this book

Page 163

speed, great arm, temperamental: shortstop Jose Greco. Or big, hard-hitting first baseman; strong, silent type: Vaughn Monroe. And center-

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Page 298

we may not be winning a lot of ballgames, but we've got a lot of spirit. In fact we might have the best "around the horn" in the league. You throw the ball around the horn—catcher to first baseman to shortstop to second baseman to third baseman—after an infield out, and you do it with a lot of élan. We get better at it all the time.

Page 344

"Don't get too far off the bag, Harry."

"Watch out for the pick-off, Harry."

Sure enough, there's a ground ball to the infield and Harry flies into the shortstop and breaks up the double play, a perfect slide.

"Son of a bitch," said Doug Rader, "every time we have an Old-

From inside the book

5 pages matching **jump** in this book

Page 207

long as I don't let it interfere with my job. I mean, throwing knuckleballs would interfere with my job."

"What job is that?" I said gently. "You haven't *got* a job. All you do is go over to that ballbag and hand everybody a ball and then you sit there and watch the game. When the telephone rings you jump up and tell somebody to warm up. That's your whole goddam job. A

Page 342

Baseball players play so many games it's impossible to get emotionally high for any one of them. Football players get all gung-ho in the locker room. They chant and shout and jump up and down and take pills and hit each other on the helmet and shoulderpads and spit and kick and swear and they're ready to go out and bust some heads. If a baseball player got that emotional, he'd go out swinging hard and miss. I think

Page 344

"You got to break up two, Harry."

"Make sure you get a good jump, Harry."

From inside the book

5 pages matching **error** in this book

Page 43

In the three innings I walked two, committed an error (hit Bert Campaneris in the head trying to throw him out at first), was hurt by a passed ball (a real good knuckler that broke in on a righthanded hitter, went off McNertney's glove and back to the backstop) and a couple of sacrifice flies. Two unearned runs. So the old ERA starts off at zero.

Page 63

kid if he made an error, and everybody hated me for it. In recent years, though, I've turned full circle. I may say to myself, "Ah, Tommy, you should have had that," but I go out of my way to show absolutely no reaction. I don't pick up the resin bag and slam it down, and I don't kick dirt, and I don't stare out at the player.

The reasons are selfish. First of all, people think terrible thoughts

Page 293

time I don't reach for my glove. But it's for me. So I warm up and pitch the ninth. One guy gets on with a single, another on an error. Nobody hits the ball good and I'm out of the inning. This doesn't change the score, which remains 10-3.

I'm saving up all my statistics for my next year's salary drive. I

From inside the book

12 pages matching era in this book

Page 32

early games, but it looks like I'm not going to be ready here. It's quite different from my last spring with the Yankees in 1967. I was really impressive, right from the beginning. I led the club in innings pitched with thirty, and I gave up the fewest hits, fifteen, and no homers and only two or three extra-base hits. My ERA was .092, which means less

Page 184

I know Detroit needs relief help and they could get me cheap. If he looks in the newspaper he'll see a 4.2 ERA, although since I've re-

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Page 212

his best season in 1967—77 games, 125 innings and a 2.09 ERA. It was a year after Phil Regan of the Dodgers had had his super year—14–1 and a 1.62 ERA—in relief. Short had offered Locker \$16,000 and he was asking for \$18,000. Short said he was asking a lot and that what the hell, Regan had just signed a contract for \$23,000. “If Regan is

From inside the book

67 pages matching **play** in this book

Page 48

or anything.

"Well, do you think you can play?"

"I don't know. I *guess* I can play. Yeah, hell, what the hell. Sure I can play."

"Good. Great. We need you out there. Unless you're hurt—unless it really hurts you. I don't want you to play if you're hurt."

Page 64

them. I've pitched some of my best games when I knew I had sold a lot of tickets for my countless admirers. The longest game in the American League was played in Detroit a few years ago. I pitched the last seven innings for the Yankees in a 22-inning game and there were 15 Bouton passes sitting up there behind the dugout, all relatives of my wife. I really think I did better because I knew they were there. Some-

Page 65

it on.

Legend has it that Linz wasn't sure what Berra said, so he turned to Mickey Mantle and asked, "What'd he say?"

"He said play it louder," Mantle explained.

Linz didn't believe that. On the other hand he didn't stop. In a minute Yosi was in the back of the bus, breathing heavily and demand-

From inside the book

30 pages matching **catch** in this book

Page 197

~~showing too much. He said he thought it was bad for my team.~~
I don't blame Haney. Or Pagliaroni, who doesn't want to catch me either. And I've told them that. I'm liable to take their living away from

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Page 203

~~and walked down that long corridor from the visiting clubhouse in Baltimore to where the cabs unload. I watched him all the way. He didn't turn back once.~~

I asked Eddie O'Brien to catch me for a while tonight in the bull-

Page 392

Runge, "Hey, Ed, I've got a three-o'clock plane to catch home. See what you can do about getting me out of this ballgame." Runge said he would.

On the first pitch of the game Runge calls a strike and Lary, standing on the top step of the dugout, yells, "Hey, Runge, what the

From inside the book

20 pages matching **fly** in this book

Page 52

By now, though, we're standing in clumps of five or ten and take turns catching whatever fly balls happen to come our way.

It was Dick Stuart-story day today, and this one was about the time Johnny Pesky was managing the Red Sox and Stuart was playing for him and showing up late for a lot of things. For some reason this upset Pesky so he called a meeting to talk about MORALE. Stuart was

Page 163

competition. I got four more dirty singles and led my team to victory. That'll teach them to fool around with the Bulldog.

Another fund-raiser is electing the leading "fly" at the end of each road trip, the guy who had the worst trip for bugging people, being a pest, just flying them. The man elected is charged a dollar. Also, if you get caught eating at the table after a game with Charley uncovered, that

From inside the book

75 pages matching **out** in this book

Page 121

son's home run in 1951, on television again. He enjoyed being reminded.

I went out to work in my long underwear with a warm-up jacket over the top and I thought to myself, "Damn, I wish somebody could see me out here being this conscientious—Whitey Lockman maybe, or a scout." If they only knew how hard I was willing to work and how

Page 204

"Listen, don't worry about Sal," Joe Schultz said. "I let a lot of the stuff Sal says go in one ear and out the other. Don't worry about it. Do whatever you have to do to get ready."

I could've kissed him. I mean there's a man who understands a lot better than I ever suspected. But then he said, "The problem with your

Page 249

"Wayne, I just had enough," Mincher said. "And I had to haul off and punch you."

Comer was still lying in the aisle feeling his jaw. "Well, that doesn't make you a bad person," he said.

Tonight Comer got his revenge. Mincher was on the postgame

From inside the book

3 pages matching **outs** in this book

Page 171

gives a countdown on the outs when we're ahead. "Only eight outs to go—oops, only seven." And he's running up and down the dugout and

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you could get only 27 outs in a nine-inning ballgame, and that the ratio between strikeouts and other kinds of outs would not change. Brabender and Pagliaroni thought differently. They said if you faced a hundred hitters you had a lot more chances to strike somebody out than if you faced only 27 or 28. And as he talked, Brabender got hot, and Brabender

Page 339

ness in the previous starting pitcher.

Here it is, my dream. I'm pitching for a pennant contender in August. I really am lucky.

That's what I thought about when I went out to the mound. This is fun, this is kicks. Stay cool. Be calm and try to get the feel of that

From inside the book

fair

Search

18 pages matching **fair** in this book

Page 8

"We couldn't do that. It's out of the question."

A couple of days later he called again. "Does \$28,000 sound fair to you?"

"Yes it does, very fair. In fact there are a lot of fair figures. Twenty-eight, twenty-nine, thirty, thirty-two. I'd say thirty-three would

Page 399

2.	H.	4/13	Chi.	1	3	3	3	1	0	—	1½	3	3	2	0	Bad
SENT TO MINOR LEAGUES																
A.	4/19	Tacoma	1	0	0	0	0	0	2	—						Excellent
A.	4/20	Tacoma	2½	2	1	0	0	0	0	L						Fair
A.	4/21	Hawaii	1	0	0	0	0	0	1	—						Excellent
A.	4/22	Hawaii	2½	1	0	0	1	1	1	—						Excellent

Page 400

A	H	D	F	H	R	E	V	S	R	R	D	F	F	F	F	F	E	R
34.	A.	7/6	K.C.	2	1	0	0	1	0	0	0	—	52½	41	21	24	29	Good
35.	H.	7/9	L.A.	2	2	0	0	0	3	0	0	—	54½	43	21	24	32	Excellent
36.	A.	7/12	Minn.	2½	5	2	2	0	2	3	2	—	57	48	23	24	34	Fair
37.	H.	7/15	Oak.	2	1	1	0	1	3	0	0	—	59	49	23	25	37	3.51 Excellent
38.	H.	7/17	Oak.	2½	2	0	0	0	3	2	0	—	61½	51	23	25	40	Excellent
39.	H.	7/19	Minn.	3½	6	5	5	2	2	0	0	—	65½	57	28	27	42	Bad

From inside the book

60 pages matching **season** in this book

Page ix

Bouton since he first came up with the Yankees, was familiar with his iconoclastic views and his enthusiastic, imaginative way of expressing them, and it occurred to me that a diary of his season—even if he spent it with a minor-league team as he had the season before—might prove of great general interest. As usual, he was ahead of me. “Funny you

Page 47

Yankees. John was a good, decent man, and no doubt there was lot of pressure on him. He seemed to feel that each day was the most important day of the season and it started right with the opening game of spring training. John always seemed willing to sacrifice a season to win a game. And this caused a lot of long-range problems. Guys played

Page 396

“If you don’t you have to stay in the barracks and they padlock the doors at midnight,” he said. “If you don’t make it in, you have to pound on the door and that’s the way they catch you.”

From inside the book

14 pages matching **average** in this book

Page 3

As the season drew to a close I did better and better. The last five days of the season I finished with a flurry, and my earned-run average throwing the knuckleball was 1.90, which is very good.

The last day of the season I was in the clubhouse and Milkes said he wanted to see me for a minute. I went up to his office and he said,

Page 56

It's one of the only sports that the average fan knows in his heart is completely honest. (I wonder what the football, basketball and hockey people would say to *that*.) I'm not sure all fans feel that way, but I really don't think there is any gambling at all inside baseball. I may be naïve, but I don't think there's any gambling, or any intentional passing along of information.

Page 381

I'm pitching with a runner on third base and BOB Tolan, a lefthanded hitter with a good average, is up. Ted Savage, a right-handed hitter with a batting average of around .220, is the next hitter. Harry Walker motions to Johnny Edwards to see if we want to walk Tolan and pitch to Savage. And I, big thinker that I am, indicate that I want to pitch to Tolan. So Harry gives me an okay wave.

From inside the book

6 pages matching **slider** in this book

Page 167

"Fine," I said. "Then I can throw it all the time."

"But they start looking for the damn thing," Sal said. "And if it doesn't break you got nothing else."

"What about Wilhelm?" I said. "They wait for *his* knuckleball."

"He throws that slider of his once in a while."

"Sure, but they don't look for his slider. They look for his knuckleball."

Page 190

Like the fellow who rooms with the great chick-hustler. The hustler will spend all of his time pounding the streets, spending money in bars, working like hell at running down girls. His roommate just lounges around the room, watching television, taking it easy. And he does great just taking his roommate's leavings.

Page 341

as a pitching coach. He thinks rather like Johnny Sain.

"You just can't tell some guy he has to throw a slider," Owens says. "That's what they did to me. I had a helluva overhand curve when I first came up and they told me I had to throw a slider. So I worked on the slider until I lost my overhand curve. That taught me never to take

From inside the book

30 pages matching **curve** in this book

Page 118

HAC HIS:

"Pitch him high and tight."

"Hell, he'll hit that one over the left-field wall. You got to pitch him low and away."

"Pitch him away and he'll go to right field on you."

"I don't know about all of that. I do know you got to curve him."

Page 188

The latest adventure of Mike Marshall has him feuding with Sal Maglie about his screwball. A screwball is a curve ball that breaks in the

Page 344

NORM MINER was doing the broadcast on in the fourth inning when Joe Morgan came back to the dugout after missing a big curve ball for strike three.

"Joe, Joe Morgan, may I have a word with you?"

"Sure, Norm, how's it going?"

"Fine. Joe, fine. We wanted to ask you about that nitch you

From inside the book

73 pages matching **joe** in this book

Page 111

APRIL
11

Page 152

I

I caught Joe Schultz without a liverwurst sandwich today, backed him into a corner and asked him, gently, about my chances of starting a game. I talked fast. I told him that I felt strong enough to go

Page 232

"I'm Ted fucking Williams."
Sock!

Today Joe Schultz said, "Nice going out there today, Jim."
The only thing I'd done all day was warm up.

"Joe, I had a fantastic knuckleball today," I said. "Just fantastic."

From inside the book

15 pages matching **pop** in this book

Page 52

~~which was the 1st time since the 1960s.~~

I guess you could say I'm torn.

Ding Dong Bell gets his first start against Arizona State U. tomorrow and he says he's not ready. I told him it's no sweat because if anybody makes this team it's going to be old Ding Dong. no matter

Page 93

~~It was a good game, but I was a little out of sync.~~
hitter walked. He scored on a double, which was the only well-hit ball off me. I had a good assortment of stuff and was able to throw fewer knuckleballs, which must have pleased Sal Maglie.

After the game John Morris and Darrell Brandon got it. So one lefthander, Bill Henry, and I had made it. It's a good feeling, but if I

From inside the book

3 pages matching **grounder** in this book

Page 60

Stafford came in for two innings and looked terrible. So I was in there in the seventh.

I started off great. I gave the first guy all knuckleballs and got him on a grounder. To the next guy I threw five beautiful knuckleballs. He missed the first two for strikes. Then he fouled three of them off and I figured now I've got him. He must be expecting another knuckleball.

Page 141

Page 141

Page 203

seven of them for strikes. I struck Buford out on a beauty that went right over the plate, then broke outside. Got the next two guys on a pop-up and soft grounder. After the game no one came over and said I'd been throwing too much.

That was a lot of day today. I'm not sure I can take many like that.

From inside the book

9 pages matching **runner** in this book

Page 143

uhh, for chrissakes, get the runner. The runner isn't going anyplace.

So Darrell winds up and lets fly. *And Carew steals home.*

When Darrell comes into the dugout at the end of the inning, Maglie lets him have it. "Dammit," he says. "You *know* you've got to pitch from the stretch in that situation."

Page 176

And Ray said, "Well, it doesn't make me a bad person."

Page 339

next hitter were balls. Christ, am I ever going to throw one over? Fortunately the runner tried to steal second and Edwards threw him out. Edwards is a great catcher. He catches the knuckleball better than McNertney, and he doesn't have the big glove. Edwards ought to be President.

From inside the book

5 pages matching **sun** in this book

Page 61

in shape in the spring is to get a tan. It makes you look healthier and at least five pounds lighter. Following Ford's postulate I was sitting on the bench in the sun while Baney was pitching. This gave me an opportunity to listen in on the pearls of Sal Maglie and Joe Schultz, who were also getting some sun. These pearls are of a special kind, absolutely valueless at best, annoying enough to unset your concentration at worst.

Page 74

with cactus and odd rock formations that threw back the flames of the setting sun. The sun was a golden globe, half-hidden, and as we drove along it appeared to be some giant golden elephant running along the horizon and I felt so good I remembered something Johnny Sain used to talk about.

From inside the book

9 pages matching **dirt** in this book

Page 74

Hegan said, "No. On the meat of the arm, the biceps."

"Oh, you'll be okay," Joe said. "Just spit on it and rub some dirt on it."

Hegan couldn't move three of his fingers for an hour. But it didn't hurt Joe at all.

Page 249

radio show because he was the hero of the game. He hit a three-run homer in the first inning, and we won 3-1. The moment Mincher came into the clubhouse, Comer, who by this time was wearing only a jock strap, dirt and no teeth, ran across the room with an insane gleam in his eye, leaped on Mincher's back and kissed him on the ear.

Page 338

Also last night, I was standing in the skin part of the infield before the game and Miller came over and said, "Hey, you're not allowed to stand on the infield dirt." I asked why. "Because Jimmy Wynn was fooling around in the infield and he's an outfielder and he got hit on the finger and couldn't play, so Harry made a rule. Every time something

From inside the book

5 pages matching **steal** in this book

Page 95

is the take, right side of the chest is the bunt, touching the left leg is the steal and right hand to the right leg is hit-and-run. The principle here is that hitting signals are above the belt and running signs are below. The takeoff is wiping the hand across the letters and the indicator will be touching the right arm. That is, no sign is valid until after the right

Page 186

Mantle pointed it out to all the Little League, high-school and college players who were watching, but somehow I doubt it. So I'll do it here. It started in the first inning when Joe Sparma walked Tommy Harper, leading off, on four-straight pitches. Hegan was the next batter. Ball one. On ball two, way over Hegan's head, Harper tries to steal second and

Page 381

Tolan promptly swats my second pitch into right-center for a triple. Savage I strike out on three pitches. In the dugout, Harry says, "Look, you've got a guy hitting .220 as opposed to a guy hitting .320." "I was afraid if we walked Tolan he'd steal second base," Edwards said.

From inside the book

4 pages matching **stole** in this book

Page 28

Although I've enjoyed being in Arizona, there are things about training in Florida I'll miss. Every spring Phil Linz and I would have dinner at Las Novedades in Tampa and we'd order Cuban black-bean soup and *Pompano en papillót* and we'd have a bottle of wine and talk about our old days in the minor leagues (and the time Joe Pepitone stole

Page 78

wives don't know about it. Hell, there are baseball wives who don't know about the money we get for being in spring training, or that we get paid every two weeks during the season. John Kennedy, infielder, says that when his wife found out about the spring money she said, "Gee whiz, all that money you guys get each week. How come you've never

Page 201

nobody in particular. "Lou Brock stole his 25th base tonight. That's 25 out of 25."

And Mike Marshall thought, "My God. The man's living in a dream world. He still thinks he's with the Cardinals."

From inside the book

38 pages matching **fastball** in this book

Page 139

wrong to throw a fastball to a good hitter with a 3-and-2 count unless I've got a big lead, and I think it's wrong to throw a fastball 3 and 1 in a close game, and it's wrong to throw a fastball 3 and 0 when a home run or hit would beat me. In every case I'd rather walk the guy with my best pitch than let him beat me with one swing at my worst.

Page 190

Like the fellow who rooms with the great chick-hustler. The hustler will spend all of his time pounding the streets, spending money in bars, working like hell at running down girls. His roommate just lounges around the room, watching television, taking it easy. And he does great just taking his roommate's leavings.

From inside the book

83 pages matching **pitcher** in this book

Page 34

...since you're been with the club so long, we feel you deserve a single room. It's a status thing. Whitey and Mickey have single rooms, and we thought you should too."

I said that was fine with me and if he wanted Fritz to room with a young pitcher I'd take a single room.

Then Houk called Fritz in and said, "Bouton deserves a single

Page 67

Nobody is a one-pitch pitcher." He added: "Bouton, they're just waiting for your knuckleball. You got to throw something else."

In the immortal words of Casey Stengel, "Now, wait a minute." Are we trying to win ballgames down here or are we trying to get ready for the season? What I have to learn is control of the knuckleball. And

Page 148

off now."

The friendly undertaker really put it to Marshall the other day. He told him that if he didn't use better judgment on the selection of his pitches, they'd be called from the bench by S. Maglie, pitching coach. Mike was furious. Any pitcher would be. As Johnny Sain has pointed

From inside the book

65 pages matching **bullpen** in this book

Page 75

"I'm going to count the laces," I told him. "And then I'm going to juggle it."

Later on O'Brien noticed some of the guys were eating sunflower seeds in the bullpen. "Hey, none of that," he said. "No eating in the bullpen."

Page 131

I called my wife during the seventh inning tonight because I didn't think I'd be used again, and just as the operator was asking her if she'd take a collect call, Sheldon came back to tell me there was a call for me to warm up. In fact, when Lemon gave the signal the guys in the bullpen pretended they didn't understand in order to give Sheldon time to come

Page 205

"All right. I'll talk to Eddie about it," Joe Schultz said.
I can't wait.

During batting practice the Orioles sneaked into our bullpen—word is that it was Eddie Watt and Pete Richert—and deposited three

From inside the book

45 pages matching **ballgame** in this book

Page 104

It took about a day into the season for us to be like every other ballclub, not just an expansion team full of strangers. I'm going out after the ballgame and have a few beers with the guys, maybe six or seven, which makes me blind. There is unquestionably a close feeling among the guys who go out and drink because they look over the

Page 295

came by and Ayca introduced me to him. I congratulated him on the fine job he was doing in Washington and he said that I was doing a pretty good job myself. I said I was glad he'd noticed.

What a beautiful day. Imagine playing for Teddy Ballgame. That's what he calls himself, in his autobiography too. What isn't generally known, except around the comfortable confines of the ballpark, is that

Page 392

Runge, "Hey, Ed, I've got a three-o'clock plane to catch home. See what you can do about getting me out of this ballgame." Runge said he would.

On the first pitch of the game Runge calls a strike and Lary, standing on the top step of the dugout, yells, "Hey, Runge, what the

From inside the book

14 pages matching **foul** in this book

Page 75

Ran my long foul-line-to-foul-line sprints in the outfield and kept myself going by imagining I was Jim Ryun running in the Olympics: I'm in the last fifty yards and I'm going into my finishing kick and thousands cheer. If I'm just Jim Bouton running long laps very little happens. Let's see. Here's the World War I flying ace . . .

Page 191

pitchers to the outfield and ran them hard, foul line to foul line. Sain was angry when he found out. So he went into Mayo's office and said, "Is this the pitching staff that led all baseball in complete games last year?"

"Yes, it is," Mayo said.

Page 291

mound, bent down, picked it up and put it in his back pocket. I got a huge kick out of that. Imagine, Johnny Antonelli picking up the cover of my Dixie cup.

One time my brothers and I and a friend decided that the way to catch foul balls in left field at the Polo Grounds was to have a net and